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SUBJECT: MACEDONIA: INTERIM TIP ASSESSMENT

REF: SECSTATE 109254

¶1. Summary: Macedonia has continued to make significant progress throughout its entire TIP prevention agenda. The continued strengthening of Macedonia's legislative framework has resulted in improved victim protection and assistance and made the government a bigger stakeholder in the country's shelters. Macedonia has proactively worked to broaden the implementation of its new standard operating procedures nationwide. Improved legislation and sentencing guidelines have resulted in substantially increased jail time for traffickers and the government has sought to develop a clearer picture of TIP awareness among the public. /End Summary/

¶2. The Ministry of Labor and Social Welfare (MOL) has begun assuming responsibility for some of the services provided in the NGO run shelters. Proposed amendments to the laws for social welfare and the protection of children will result in additional funding and support from the MOL for the country's TIP victim shelters. These amendments will also create a legal basis for the establishment of the first entirely government-run shelter. The Parliament is expected to pass the amendments by the end of the year. A new law allows for the court to appoint a legal guardian to represent and protect the rights of child victims of trafficking crimes. The court has utilized the law in several cases this year where parents were either complicit in the crime or refused to cooperate with the investigation. Funds have been secured to build additional offices in 19 of the country's 27 social welfare centers specifically for victims; this will provide a friendlier environment for child victims, discrete entrances to protect victims' identities and a private atmosphere for law enforcement interviews. The social welfare centers are first responders in many TIP related crimes; identifying victims and initiating the national victim referral mechanism. A national TIP victims' database linking the social welfare centers, MOL and Ministry of the Interior (MOI) has also been created to improve victim tracking and identification.

¶3. The MOL has conducted three national seminars this year with the social welfare centers and other key municipal and national level TIP prevention officials designed specifically to achieve a broader implementation of the new SOPs at municipal levels. The MOL has also provided continuous TIP-related training to the individual social welfare offices, with a new training on helping victims to overcome trauma planned to start in December. Officials investigating trafficking crimes have respected the new reflection period for foreign trafficking victims, but all the foreign victims this year have either immediately cooperated with the investigation or asked to be returned to their country, according to the MOI.

¶4. Under the new sentencing guidelines, jail times for trafficking and smuggling crimes have increased substantially. Average sentences this year for trafficking related crimes have increased by nine months compared to the previous three years. For smuggling related crimes, average sentences have almost doubled, increasing by fifteen months compared to the previous three years. Previously, most trafficking crimes against minors were prosecuted under forced prostitution laws which carried a minimum sentence of only six months. Earlier this year, Macedonia amended its law on trafficking to specifically address trafficking crimes against minors. Now these crimes must be prosecuted under the new legislation which

carries a minimum sentence of eight years. Five people have been sentenced under the new legislation so far this year. The streamlining of trafficking related crimes to a single court at the end of last year has resulted in significantly reduced trial times and more consistently firm sentencing.

15. In a case which was only in the early stages of prosecution when the TIP report was released earlier this year, involving 5 policemen and one Ministry of Justice official, all 6 officials were ultimately found guilty and sentenced in accordance with law, demonstrating Macedonia's commitment to prosecuting TIP related corruption. Police dismantled a major international human smuggling ring on November 4. Throughout the investigation, which began in July, Macedonian law enforcement officials worked closely with law enforcement in Serbia and Albania to uncover a human smuggling network that had been transporting migrants from China and Indonesia to Belgrade by plane, then through Macedonia by car to Greece. Eighteen arrests have been made, including 15 Macedonian citizens, and 64 migrants smuggled by the criminal network were discovered in Macedonia. The investigation illustrates Macedonia's elevated focus on stopping wider organized trafficking and smuggling networks.

16. From May to August this year the MOI conducted a nationwide TIP survey to gauge the public's overall awareness of TIP related crime in Macedonia. The survey exposed weaknesses in previous TIP awareness campaigns and enabled the government to better identify high risk communities for future TIP prevention activities. Special awareness and victim identification trainings are now being conducted in many of those communities as a result. The survey results also triggered the MOL to create a series of seminars to train the media on its roles and responsibilities in combating TIP. The MOI is planning to hold an Anti-Trafficking Week before the end of the year. Events will include all the national stakeholders in TIP prevention and feature debates, seminars and forums on current and future activities for TIP prevention in Macedonia. The MOI also hopes to have the country's new action plan for TIP prevention approved in time to release it to the public as part of the Anti-Trafficking Week.

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